

PATENT
Serial No. 09/597,198
Amendment in Reply to Office Action of August 18, 2005

REMARKS

Reconsideration of the present application is respectfully requested.

In the Office Action, claims 1-17 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,772,331 (Hind). In response, independent claim 17 has been amended. It is respectfully submitted that claims 1-17 are patentable over Hind for at least the following reasons.

Hind is directed to a method and apparatus for exclusively pairing wireless devices for operation over a short range link such as Bluetooth. It should be noted that Hind is only concerned with communication over such a short range link like Bluetooth. This is evident throughout Hind, such as column 2, line 24 which refers to "[p]rior art in this case," where 'this case' is Bluetooth discussed prior to column 2, line 24, such as column 1, line 51; and column 2, lines 8 and 20.

Reference to Bluetooth is not limited to the background section of Hind. The rest of Hind is also only related to Bluetooth as evident, for example, from column 7, line 1, and the

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following text on column 1. Thus, Hind is merely directed to authentication related to a short-range wireless link. Even if it is assumed that Hind is concerned with more than a single type of communication link, Hind is directed to using certificates and public/private keys for authentication, and does not teach or suggest the present invention as recited in independent claims 1, 13-14 and 17.

In particular, the present invention as recited in independent claim 1, and similarly recited in independent claims 13-14, requires amongst other patentable elements:

later, when the first and second electronic devices are beyond the short-range wireless link, executing the authentication protocol by exchanging the authentication information between the first and second electronic devices over an alternate communications link, then only allowing communication between the first and second devices if the first and second devices had initially been successfully authenticated (emphasis added)

Claim 17 further requires:

wherein said first communications link and said second communications link are different types of links. (emphasis added)

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Such features, including exchanging the authentication information over an alternate communications link when the devices are beyond the short-range wireless link, are nowhere taught or suggest in Hind which, as discussed above, is concerned with authentication over a single type of link, such as a Bluetooth short-range communication link.

Accordingly, it is respectfully submitted that independent claims 1, 13-14 and 17 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-12 and 15-16 should also be allowed at least based on their dependence from independent claims 1 and 14.


In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to applicant's representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

Respectfully submitted,

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